

DIVIDER

STATE OF NORTH DAKOTA
INFORMATION TECHNOLOGY DEPARTMENT
SFN 2053 (4-2002)

PU-2780-02-588

Level 3 Communications, LLC/Qwest Corporation
Interconnection Agreement Amendment
Application

02

Filed 11/12/2002

Closed 1/17/2003

DESCRIPTION



Public Service Commission
Receipt of Payment

Receipt# 5272

Received: 2/14/2003 Check# 2007897 for \$61.90
Subject: Utility Valuation

Docket # PU-2780-02-588

Level 3 Communications Inc
1025 Eldorado Blvd
Broomfield CO 80021

12 PU-2780-02-588

Pages: 1

Receipt# 5,272 \$61.90

by Level 3 Communications Inc

02/14/2003

Scott, Sandi L.

From: Bauske, Shelly A.
Sent: Friday, January 31, 2003 1:22 PM
To: Scott, Sandi L.
Subject: FW: Money Received.....

-----Original Message-----

From: Bauske, Shelly A.
Sent: Thursday, January 30, 2003 11:43 AM
To: Geiger, Gloria A.
Subject: Money Received.....

Case No. PU-2463-02-553
Qwest
61.90

Case No. PU-2780-02-588
Qwest
61.90

Case No. PU-2790-02-509
Qwest
278.54

Case No. PU-2441-02-571
Qwest
61.90

Case No. PU-2630-02-587
Qwest
61.90

Case No. PU-2800-02-572
Qwest
61.90

Case No. PU-2630-02-483
Qwest
87.42

Case No. PU-2780-02-579

11 PU-2463-02-553 Pages: 0
\$61.90 received
by Qwest Corporation
01/31/2003 CC: Comm Legal Ilona Jerry .

✓11 PU-2780-02-588 Pages: 0
\$61.90 received
by Qwest Corporation
01/31/2003 CC: Comm Legal Ilona Jerry .

14 PU-2790-02-509 Pages: 0
\$278.54 received
by Qwest Corporation
01/31/2003 CC: Comm Legal PUD (3)

11 PU-2441-02-571 Pages: 0
\$61.90 received
by Qwest Corporation
01/31/2003 CC: Comm Legal Ilona Jerry .

11 PU-2630-02-587 Pages: 0
\$61.90 received
by Qwest Corporation
01/31/2003 CC: Comm Legal Ilona Jerry .

11 PU-2800-02-572 Pages: 0
\$61.90 received
by Qwest Corporation
01/31/2003 CC: Comm Legal Ilona Jerry .

11 PU-2630-02-483 Pages: 0
\$87.42 received
by Qwest Corporation
01/31/2003 CC: Comm Legal Ilona Jerry .

11 PU-2780-02-579 Pages: 0
\$61.90 received
by Qwest Corporation
01/31/2003 CC: Comm Legal Ilona Jerry .

11 PU-2057-02-493 Pages: 0
\$87.42 received
by Qwest Corporation
01/31/2003 CC: Comm Legal Ilona Jerry .

Qwest
61.90

Case No. PU-2057-02-493
Qwest
87.42

Total Qwest Check: \$824.78

APPROVED

MOTION

DATE: 1-15-03
KMF

January 15, 2003

Level 3 Communications, LLC/
Qwest Corporation
Interconnection Agreement Amendment
Application

Case No. PU-2780-02-588

I move the Commission bill Level 3 Communications, LLC and Qwest Corporation for costs incurred to date in Case No. PU-2780-02-588, Level 3 Communications, LLC/Qwest Corporation, Interconnection Agreement Amendment, Application.



Public Service Commission
State of North Dakota

COMMISSIONERS

Susan E. Wefald, President
Leo M. Reinbold
Anthony T. Clark

Executive Secretary
Jon H. Mielke

600 E Boulevard Ave. Dept. 408
Bismarck, North Dakota 58505-0480
web: www.psc.state.nd.us
e-mail: sab@psc.state.nd.us
TDD 800-366-6888
Fax 701-328-2410
Phone 701-328-2400

January 15, 2003

Greg Rogers
Level 3 Communications
1025 Eldorado Blvd
Broomfield CO 80021

Dan Kuntz
PO Box 1695
Bismarck ND 58502-1695

RE: Case No. PU-2780-02-588
Level 3 Communications, LLC/Qwest Corporation
Interconnection Agreement Amendment
Application

Enclosed is a copy of the statement approved at the January 15, 2003 Public Service Commission meeting for the expenses incurred to date in Case No. PU-2780-02-588.

Under N.D.C.C. 49-21-01.7, these expenses are billed through the Valuation Fund and must be paid for by the telecommunications company involved.

Please make your check payable to the *Public Service Commission*.

Sincerely,

A handwritten signature in black ink, appearing to read "Gloria Geiger".

Gloria Geiger
Admin Staff Officer
701-328-2401

Enc.

c: Scott Macintosh Director - Interconnection Compliance
Qwest Corporation Qwest Corporation
PO Box 5508 1801 California St Rm 2410
Bismarck ND 58502-5508 Denver CO 80202

Billing Statement

January 15, 2003

Level 3 Communications, LLC/
Qwest Corporation
Interconnection Agreement Amendment
Application

Case No. PU-2780-02-588

Bill To:

Level 3 Communications, LLC\$61.90
Qwest Corporation\$61.90

Expenses Incurred to Date:

Advertising Costs \$123.80

Send Payment and a Copy of this Statement To:

Public Service Commission
600 E Boulevard Ave Dept 408
Bismarck ND 58505-0480

Federal Tax ID 45-0309764

The envelopes were addressed as follows:

Dan Kuntz
P O Box 1695
Bismarck ND 58502-1695

Cert. No. 7001 1940 0005 3425 2009

Mitchell H Menezes
AT&T Corp
1875 Lawrence St Rm 15-21
Denver CO 80202

Cert. No. 7099 1940 0005 3425 2023

Michael A Beach
MCI WorldCom
MCI Plaza
6312 S Fiddlers Green Circle Ste 600 East
Englewood CO 80111

Cert. No. 7001 1940 0005 3425 2047

John Sango
U S Link Inc
30925 2nd St
Pequot Lakes MN 56472

Cert. No. 7001 1940 0005 3425 2061

Karen Johnson
Integra Telecom Inc
19545 NW Von Neumann Dr Ste 200
Beaverton OR 97006-6902

Cert. No. 7001 1940 0005 3425 2016

Michael Hydock
AT&T Corp
1875 Lawrence St Rm 8-19
Denver CO 80202

Cert. No. 7099 1940 0005 3425 2030

Peter Blisard
Level 3 Communications LLC
1025 Eldorado Blvd
Broomfield CO 80021

Cert. No. 7001 1940 0005 3425 2054

Greg Rogers
Level 3 Communications LLC
1025 Eldorado Blvd
Broomfield CO 80021

Cert. No. 7001 1940 0005 3425 2078

Sharon Helbling further deposes and says that on the **16th day of January, 2003**, she deposited in the United States Mail, Bismarck, North Dakota, **two** envelopes by regular mail, with postage fully prepaid, securely sealed, each containing a photocopy of the same.

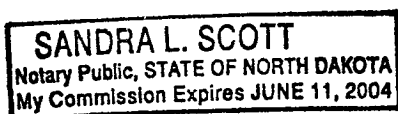
Scott Macintosh
Qwest Corporation
P O Box 5508
Bismarck ND 58502-5508

Dir-Interconnection Compliance
Qwest Corporation
1801 California St Rm 2410
Denver CO 80202

Each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me
this **16th day of January, 2003**.

SEAL



Sharon Helbling

Jane L. Scott

Notary Public

APPROVED M O T I O N

DATE: 1-15-03
KMF January 15, 2003

- | | |
|---|--------------------------------|
| Integra Telecom of North Dakota, Inc./Qwest Corporation
Interconnection Agreement Amendment
Application | Case No. PU-2463-02-553 |
| AT&T Communications of the Midwest, Inc./Qwest Corporation
Interconnection Agreement Amendment
Application | Case No. PU-2441-02-571 |
| MCImetro Access Transmission Services LLC./Qwest Corporation
Interconnection Agreement
Application | Case No. PU-2800-02-572 |
| Level 3 Communications, LLC/Qwest Corporation
Interconnection Agreement Amendment
Application | Case No. PU-2780-02-579 |
| U.S. Link, Inc./Qwest Corporation
Interconnection Agreement Amendment
Application | Case No. PU-2630-02-587 |
| Level 3 Communications, LLC/Qwest Corporation
Interconnection Agreement Amendment
Application | Case No. PU-2780-02-588 |

I move the Commission adopt the Order approving the captioned interconnection agreements.

JRL/sdh

8 **PU-2780-02-588** Pages. 1
Motion
by Public Service Commission
01/15/2003 CC. Comm Legal Illona Jerry .

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Integra Telecom of North Dakota, Inc./Qwest Corporation
Interconnection Agreement Amendment
Application** **Case No. PU-2463-02-553**

**AT&T Communications of the Midwest, Inc./Qwest Corporation
Interconnection Agreement Amendment
Application** **Case No. PU-2441-02-571**

**MCImetro Access Transmission Services LLC./Qwest Corporation
Interconnection Agreement
Application** **Case No. PU-2800-02-572**

**Level 3 Communications, LLC/Qwest Corporation
Interconnection Agreement Amendment
Application** **Case No. PU-2780-02-579**

**U.S. Link, Inc./Qwest Corporation
Interconnection Agreement Amendment
Application** **Case No. PU-2630-02-587**

**Level 3 Communications, LLC/Qwest Corporation
Interconnection Agreement Amendment
Application** **Case No. PU-2780-02-588**

ORDER

January 15, 2003

On October 21, 2002, Qwest Corporation (Qwest) filed an application for approval of an amendment negotiated to its interconnection agreement with Integra Telecom of North Dakota, Inc. of Beaverton, Oregon, Case No. PU-2463-02-553. This amendment sets forth rates, terms and conditions for bill and keep reciprocal compensation.

On November 1, 2002, Qwest filed for approval of an amendment negotiated to its interconnection agreement with AT&T Communications of the Midwest, Inc. of Minneapolis, MN, Case No. PU-2441-02-571. This amendment sets forth rates, terms and conditions for UNE Combinations.

Also on November 1, 2002, Qwest filed for approval of an interconnection agreement negotiated with MCIMetro Access Transmission Services, LLC of Clinton, MS, Case No. PU-2800-02-572. This agreement adopts Qwest's sixth revised Statement of Generally Available Terms and Conditions (SGAT).

On November 8, 2002, Qwest filed for approval of an amendment negotiated to its interconnection agreement with Level 3 Communications, LLC of Louisville, CO, Case No. PU-2780-02-579. This amendment addresses customer billing records and reports.

On November 12, 2002, Qwest filed for approval of an amendment negotiated to its interconnection agreement with U.S. Link, Inc. of Pequot Lakes, MN, Case No. 2630-02-587. This amendment sets forth rates, terms and conditions for UNE-P and Public Access Lines.

Also on November 12, 2002, Qwest filed for approval of an amendment negotiated to its interconnection agreement with Level 3 Communications, LLC, Case No. PU-2780-02-588. This agreement sets forth rates, terms and conditions for single point of presence in the LATA.

These agreements were filed under Section 252(e) of the Telecommunications Act of 1996 (Act). The Act requires that any agreement adopted by negotiation or arbitration be submitted for approval to the Commission. Under section 252(e)(2)(A), the Commission may only reject an agreement (or portion thereof) adopted by negotiation if it finds that:

1. the agreement (or portion thereof) discriminates against a telecommunications carrier that was not a party to the agreement;
2. the implementation of the agreement (or portion thereof) is not consistent with the public interest, convenience, and necessity.

In addition, the Commission may include in its review state requirements that do not constitute barriers to entry under section 253.

On November 20, 2002, the Commission issued a Notice of Opportunity to File Written Comments, which provided that the Commission would receive comments on the agreements until December 20, 2002. No comments have been received.

The Commission has reviewed the agreements and does not find them discriminatory against a telecommunications carrier that was not a party to the agreements. The Commission finds that implementation of the agreements is not inconsistent with the public interest, convenience and necessity.

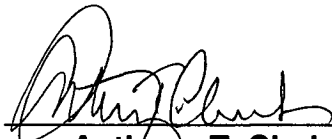
Order

The Commission orders:

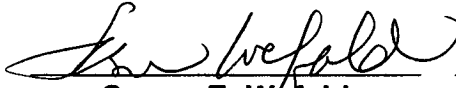
1. The captioned interconnection agreements are APPROVED.
2. The Commission retains continuing jurisdiction over the agreements at all times.
3. Notice of any changes to the agreements must be filed promptly with the Commission.

4. The agreements must not be assigned, assumed or otherwise transferred without the approval of the Commission.

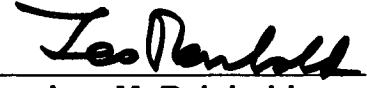
PUBLIC SERVICE COMMISSION



Anthony T. Clark
Commissioner

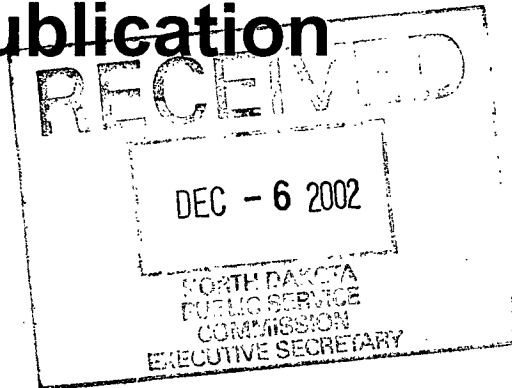


Susan E. Wefald
President



Leo M. Reinbold
Commissioner

Affidavit of Publication



State of North Dakota)
County of Burleigh)

Laure Thiel, being duly sworn, state as follows:

1. I am the designated agent, under the provisions and for the purposes of, Section 31-04-06, NDCC, for the newspapers listed on the attached exhibits.
2. The newspapers listed on the exhibits published the advertisement of:
Integra Telecom Level 3, 1 time(s)
as required by law or ordinance.
3. All of the listed newspapers are legal newspapers in the State of North Dakota and, under the provisions of Section 46-05-01, NDCC, are qualified to publish any public notice or any matter required by law or ordinance to be printed or published in a newspaper in North Dakota.

Signed: [Signature]

Subscribed and sworn to before me this 4th day of December A.D. 2002

[Signature: Kelli Richy]

6 **PU-2463-02-553** Pages: 1
Affidavit of Publication
6 **PU-2441-02-571** Pages: 1
Affidavit of Publication
6 **PU-2780-02-579** Pages: 1
Affidavit of Publication
by North Dakota Advertising Service, Inc.
12/06/2002 CC: Comm Legal Ilona Jerry

KELLI RICHY
Notary Public
State of North Dakota
Commission Expires

6 **PU-2800-02-572** Pages: 1
Affidavit of Publication
by North Dakota Advertising Service, Inc.
12/06/2002 CC: Comm Legal Ilona Jerry
6 **PU-2630-02-587** Pages: 1
Affidavit of Publication
by North Dakota Advertising Service, Inc.
12/06/2002 CC: Comm Legal Ilona Jerry
6 **PU-2780-02-588** Pages: 1
Affidavit of Publication
by North Dakota Advertising Service, Inc.
12/06/2002 CC: Comm Legal Ilona Jerry



North Dakota Newspaper Association

1435 Interstate Loop
 Bismarck, ND 58503-0567
 Ph (701) 223-6397 • Fax (701) 223-8185

INVOICE

Order **02121PP0-16928**

Invoice # **8927**

December 5, 2002

Attn: JONH. MIELKE
 PUBLIC SERVICE COMMISSION
 600 E. BOULEVARD AVE.
 STATE CAPITOL
 BISMARCK, ND 58505

Advertiser: **Public Service Commission**

P.O.#:

Amount Due **\$742.81**

Amount Paid

Voice: 328-4076

Please detach and return this portion with your payment

Public Service Commission Invoice # 02121PP0-16928-8927

Ad Size	Rate Type	Rate	Total	Discount (%)	Caption	Page	Run Date
Bismarck Tribune (Bismarck ND)							
1.00	Special	72.96	72.96	0.00	Integra ... Level 3		11/27/02
Devils Lake Daily Journal (Devils Lake ND)							
1.00	Special	73.71	73.71	0.00	Integra ... Level 3		11/27/02
Dickinson Press (Dickinson ND)							
1.00	Special	74.10	74.10	0.00	Integra ... Level 3		11/27/02
Fargo, The Forum (Fargo ND)							
1.00	Special	73.84	73.84	0.00	Integra ... Level 3		12/02/02
Grand Forks Herald (Grand Forks ND)							
1.00	Special	77.28	77.28	0.00	Integra ... Level 3		11/26/02
Jamestown Sun (Jamestown ND)							
1.00	Special	71.28	71.28	0.00	Integra ... Level 3		11/30/02
Minot Daily News (Minot ND)							
1.00	Special	71.82	71.82	0.00	Integra ... Level 3		11/27/02
Valley City Times-Record (Valley City ND)							
1.00	Special	76.86	76.86	0.00	Integra ... Level 3		11/27/02
Wahpeton Daily News (Wahpeton ND)							
1.00	Special	74.10	74.10	0.00	Integra ... Level 3		11/27/02
Williston Herald (Williston ND)							
1.00	Special	76.86	76.86	0.00	Integra ... Level 3		11/27/02

Gross Advertising	742.81	Total Misc	0.00	Amount Paid	0.00
Agency Discount		Tax	0.00	Adjustments	0.00
Other Discount	0.00	Total Billed	742.81	Payment Date	
Service Charge	0.00	Unbilled	0.00	Balance Due	742.81

6 PU-2463-02-553 Pages: 1

Affidavit of Publication

6 PU-2441-02-571 Pages: 1

Affidavit of Publication

by North Dakota Advertising Service, Inc.

12/06/2002

CC: Comm Legal Ilona Jerry

6 PU-2800-02-572 Pages: 1

6 PU-2780-02-579 Pages: 1

6 PU-2630-02-587 Pages: 1

6 PU-2780-02-588 Pages: 1

Affidavit of Publication

by North Dakota Advertising Service, Inc.

12/06/2002

CC: Comm Legal Ilona Jerry

Notice of Opportunity to File Written Comments
November 20, 2002
Case no. PU-2780-02-588

Bismarck	11-27
Devils Lake	11-27
Dickinson	11-27
Fargo	12-2
Grand Forks	11-26
Jamestown	11-30
Minot	11-27
Valley City	11-27
Wahpeton	11-27
Williston	11-27

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Integra Telecom of North Dakota, Inc./Qwest Corporation
Interconnection Agreement Amendment
Application** **Case No. PU-2463-02-553**

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Application** **Case No. PU-2780-02-588**

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL AND ORDINARY MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Sharon Helbling deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **21st day of November, 2002**, she deposited in the United States Mail, Bismarck, North Dakota **eight** envelopes with certified postage, return receipt requested, fully prepaid, securely sealed and each containing a photocopy of:

Notice of Opportunity to File Written Comments

5	PU-2780-02-588	Pages: 4
Affidavit of Service		
by Public Service Commission		
11/21/2002		CC. Comm Legal Ilona Jerry

The envelopes were addressed as follows:

Dan Kuntz
P O Box 1695
Bismarck ND 58502-1695

Cert. No. 7001 1940 0005 3425 2009

Mitchell H Menezes
AT&T Corp
1875 Lawrence St Rm 15-21
Denver CO 80202

Cert. No. 7099 1940 0005 3425 2023

Michael A Beach
MCI WorldCom
MCI Plaza
6312 S Fiddlers Green Circle Ste 600 East
Englewood CO 80111

Cert. No. 7001 1940 0005 3425 2047

John Sango
U S Link Inc
30925 2nd St
Pequot Lakes MN 56472

Cert. No. 7001 1940 0005 3425 2061

Karen Johnson
Integra Telecom Inc
19545 NW Von Neumann Dr Ste 200
Beaverton OR 97006-6902

Cert. No. 7001 1940 0005 3425 2016

Michael Hydock
AT&T Corp
1875 Lawrence St Rm 8-19
Denver CO 80202

Cert. No. 7099 1940 0005 3425 2030

Peter Blisard
Level 3 Communications Inc
1025 Eldorado Blvd
Broomfield CO 80021

Cert. No. 7001 1940 0005 3425 2054

Greg Rogers
Level 3 Communications LLC
1025 Eldorado Blvd
Broomfield CO 80021

Cert. No. 7001 1940 0005 3425 2078

Sharon Helbling further deposes and says that on the **21st day of November, 2002**, she deposited in the United States Mail, Bismarck, North Dakota, **two** envelopes by regular mail, with postage fully prepaid, securely sealed, each containing a photocopy of the same.

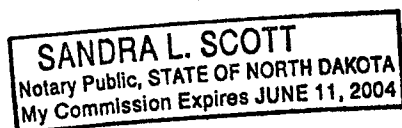
Scott Macintosh
Qwest Corporation
P O Box 5508
Bismarck ND 58502-5508

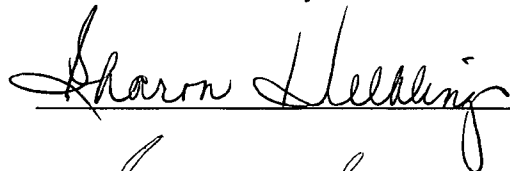
Dir-Interconnection Compliance
Qwest Corporation
1801 California St Rm 2410
Denver CO 80202

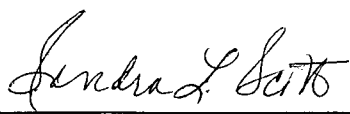
Each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me
this **21st day of November, 2002**.

SEAL







Notary Public

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Integra Telecom of North Dakota, Inc./Qwest Corporation
Interconnection Agreement Amendment
Application** **Case No. PU-2463-02-553**

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Interconnection Agreement Amendment
Application** **Case No. PU-2630-02-587**

**Level 3 Communcations, LLC/Qwest Corporation
Interconnection Agreement Amendment
Application** **Case No. PU-2780-02-588**

AFFIDAVIT OF SERVICE BY ORDINARY MAIL OR E-MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Sharon Helbling deposes and says that:

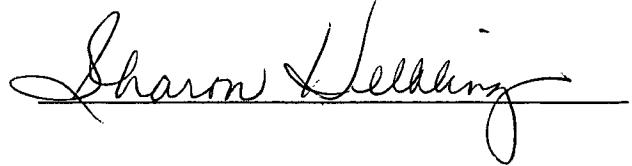
she is over the age of 18 years and not a party to this action and, on the **21st day of November, 2002**, she deposited in the United States Mail, Bismarck, North Dakota, envelopes by first class mail, fully prepaid, securely sealed, and/or e-mailed a copy of:

Notice of Opportunity to File Written Comments

To:

See Attached List

Each address shown is the respective addressee's last reasonably ascertainable post office address.



Subscribed and sworn to before me
this **21st day of November, 2002.**



Notary Public

SEAL



wbrudvik@ohnstadlaw.com
William Brudvik

donlee@martin-associates.com
Don Lee

jlchapman@acomminc.com
Jerry Chapman
Acomm Inc
510 1st Ave N Ste 203
Minneapolis MN 55403-0343

jbrowne@lga.att.com
Janet Browne
AT&T
1875 Lawrence St 14th Fl
Denver CO 80202

smassey@bepc.com
Sheryl Massey
Basin Electric Power Coop
1717 E Interstate Ave
Bismarck ND 58501-0564

jtmgr@bektel.com
Jerome Tishmack
BEK Communications Cooperative
PO Box 230
Steele ND 58482-0230

jtmgr@bektel.com
Jerome Tishmack
BEK Communications I Inc
PO Box 230
Steele ND 58482-0230

ltade@czn.com
Lance Tade
Citizens Telecomm of ND

mannawiz@pacbell.net
Larry Manna
Compuwiz
1012 Industrial Blvd
South Lake Tahoe CA 96150

sheba.chacko@btna.com
Sheba Chacko
Concert Communications Sales LLC
11911 Freedom Dr 11th Fl
Reston VA 20190

paul@consolidatedtelcom.com
Paul Schuetzler
Consolidated Telcom
PO Box 1077
Dickinson ND 58601-1077

ken@consolidatedtelcom.com
L Dan Wilhelmson
Consolidated Telcom
PO Box 1077
Dickinson ND 58601-1077

mjrasher@msn.com
Mary Jane Rasher
DCI Group

drtc@drtel.net
Darren Moser
Dickey Rural Telephone Cooperative
PO Box 69
Ellendale ND 58436-0069

bgipson@vartec.net
Becky Gipson
eMeritus Communications Inc
1600 Viceroy Dr
Dallas TX 75235

bgipson@vartec.net
Becky Gipson
Excel Telecommunications Inc
1600 Viceroy Dr
Dallas TX 75235

meredith.gifford@gecapital.com
Meredith Gifford
GE Business Productivity Solutions Inc
6540 Powers Ferry Rd
Atlanta GA 30339

cooperstown@mlgc.com
Ray Brown
Griggs County Telephone Company
Cooperstown ND 58425

hold@texas.net
Dana Wilson
Home Owners Long Distance Inc
8647 Wurzbach Rd #M-1
San Antonio TX 78240-1245

jamie@ignus.com
Jamie Kubik
Ignus Inc
P O Box 9202
Fargo ND 58106-9202

kander@ictc.com
Keith Anderson
Inter-Community Telephone Company LLC
PO Box 8
Nome ND 58062-0008

susan.p.green@lmco.com
Susan Green
Lockheed Martin Global Telecomm
12506 Lake Underhill Rd MP 836
Orlando FL 32825

dconn@mcleodusa.com
Dave Conn
McLeodUSA
P O Box 66
Irene SD 57037-0066

gerrya@midrivers.com
Gerry Anderson
Mid-Rivers Telephone Coop Inc
PO Box 280
Circle MT 59215-0280

glenn.richards@shawpittman.com
Glenn Richards
Glenn Richards
ShawPittman
2300 N St NW

rlaqua@rrv.net
Ronald Laqua
Halstad Telephone Company
PO Box 55
Halstad MN 56548-0055

carl.billek@corp.idt.net
Carl Billek
IDT America, Corp.
520 Broad St 7th Fl
Newark NJ 07102

karen.johnson@integratelecom.com
Karen Johnson
Integra Telecom of North Dakota Inc
19545 Von Neumann Dr Ste 200
Beaverton OR 97006-6902

anewell@jato.net
Andrew R Newell
JATO Operating Two Corp
600 17th St Ste 18005
Denver CO 80202-5441

susan.a.travis@wcom.com
Susan Travis
MCI Worldcom
201 Spear St 9th Fl
San Francisco CA 94105

knations@mmfn.com
Karen Nations
Metromedia Fiber Network Services Inc
360 Hamilton Ave
White Plains NY 10601

sbunn@mlgc.com
Shelie Bunn
Moore & Liberty Telephone Co
Enderlin ND 58027

hfuglest@ndarec.com
Harlan Fugelsten
ND Assn Rural Electric Coops
PO Box 727
Mandan ND 58554-0727

pschaner@ndarec.com
Patti Schaner
ND Assn Rural Electric Coops
PO Box 727
Mandan ND 58554-0727

info@newaccess.cc
Steven C Clay
New Access Communications LLC
801 Nicollet Ave Ste 350
Minneapolis MN 55402

rer@norlight.com
Robert E Rogers
NorLight Inc
275 N Corporate Dr
Brookfield WI 53045

pat@ndta.net
Patricia Gisinger
North Dakota Telephone Assoc
PO Box 2614
Bismarck ND 58502-2614

ddunning@polarcomm.com
David Dunning
Polar Commun Mut Aid Corp
PO Box 270
Park River ND 58270-0270

ddunning@polarcomm.com
David Dunning
Polar Telecommunications Inc
PO Box T
Park River ND 58270

sschwan@qwest.com
Suzy Schwandt
Qwest Corporation

dhill@ndarec.com
Dennis Hill
ND Assn Rural Electric Coops
PO Box 727
Mandan ND 58554-0727

jsilveira@netlojix.com
Janet Medeiros-Silveira
NetLogix Telecom Inc
501 Bath St
Santa Barbara CA 93101

lclemens@nft.net
Larry Clemens
Noonan Farmers Tele Co
Noonan ND 58765

laurie.willman@metro1.com
Laurie Willman
North By NortheastCom LLC

klund@nccray.com
Kenneth Lund
Northwest Communications Corp
PO Box 38
Ray ND 58849-0038

ddunning@polarcomm.com
David Dunning
Polar Telcom Inc
PO Box 270
Park River ND 58270-0270

donn@srt.com
Don Negaard
Pringle and Herigstad P C
PO Box 1000
Minot ND 58702-1000

kblicke@qwest.com
Kent Blickensderfer
Qwest Corporation
PO Box 5508
Bismarck ND 58502-5508

mkambei@qwest.com
Mel Kambeitz
Qwest Corporation
220 N 5th St
Bismarck ND 58501

maneill@qwest.com
Mary Ann Neill
Qwest Corporation
1801 California St Rm 4700
Denver CO 80202

areyes@telfile.com
Ayanery Reyes
QX Telecom LLC
230 5th Ave Ste 800
New York NY 10001

ardondoran@rrt.net
Ardon Doran
Red River Rural Tele Assoc
PO Box 136
Abercrombie ND 58001-0136

royce@restel.net
Royce Aslakson
Reservation Telephone Cooperative
Parshall ND 58770

shaneh@restel.net
Shane Hart
Reservation Telephone Cooperative
Parshall ND 58770

bobhill@skylandnd.net
Bob Hill
Skyland Technologies Inc
P O Box 939
Williston ND 58802-0939

stevedl@srttel.com
Steve Lysne
SRT Communications Inc
P O Box 789
Minot ND 58702-0789

smacint@qwest.com
Scott Macintosh
Qwest Corporation
PO Box 5508
Bismarck ND 58502-5508

saberry@qwest.com
Sharon Berry
Qwest Corporation
409 1st Ave N
Fargo ND 58102-4802

pam@tnics.com
Pamela Harrington
RC Communications Inc
PO Box 197
New Effington SD 57255-0197

ardondoran@rrt.net
Ardon Doran
Red River Telecom Inc
PO Box 136
Abercrombie ND 58001-0136

mbrestel@ndak.net
Marcia Burckhard
Reservation Telephone Cooperative
Parshall ND 58770

pam@tnics.com
Pamela Harrington
Roberts Cty Tele Coop Assoc
New Effington SD 57255

suelh@srttel.com
Sue Hamilton
SRT Communications Inc
P O Box 789
Minot ND 58702-0789

christm@srttel.com
Chris Morsefield
SRT Communications Inc
P O Box 789
Minot ND 58702-0789

janehp@srttel.com
Jane Petersen
SRT Communications Inc
P O Box 789
Minot ND 58702-0789

kimrw@srttel.com
Kim Weydahl
SRT Communications Inc
P O Box 789
Minot ND 58702-0789

stthomas@talk.com
Sharon Thomas
Talk America Inc
12001 Science Dr Ste 130
Orlando FL 32826

lahall@usgs.gov
Lenora Hall
U S Geological Survey

kander@ictc.com
Keith Anderson
Valley Communications Inc
P O Box 8
Nome ND 58062

bonniek@westriv.com
Bonnie Krause
West River Telecomm Coop
PO Box 467
Hazen ND 58545-0467

paulihland@wtc-mail.net
Paul Ihland
Wolverton Telephone Company
Wolverton MN 56594

johnar@srttel.com
John Reiser
SRT Communications Inc
P O Box 789
Minot ND 58702-0789

mdickers@state.nd.us
Marcy Dickerson
State Tax Department
State Capitol
Bismarck ND 58505

jennifer.arnold@uslink.com
Jennifer Arnold
U S Link Inc
P O Box 317
Pequot Lakes MN 56472-0327

kjvannin@usgs.gov
K Vannin
U S Geological Survey

anthony.gillman@verizon.com
Anthony Gillman
Verizon Select Services Inc
P O Box 110
Tampa FL 33601-0110

mickg@westriv.com
Mick Grosz
West River Telecommunications Coop
PO Box 467
Hazen ND 58545-0467

Jennifer Sikes
1-800 Reconex
2500 Industrial Ave
Hubbard OR 97032

Ann Faught
Absaraka Co-op Tele Co
Absaraka ND 58002

ACN Communications Services Inc
32991 Hamilton Ct
Farmington Hills MI 48334

Advanced Telcom Inc
19 Old Courthouse Sq
Santa Rosa CA 95404-4920

Arch Paging
11437 Valley View Rd
Eden Prairie MN 55344

Leeann Brunnette
AT&T
P O Box 71142
Clive IA 50325-0142

Kimberly Nielsen
AT&T Wireless
7277 164th Ave NE RTC-1
Redmond WA 98052

Jack Medaris
Atlas Communications LTD
484 Norristown Rd Ste 123
Blue Bell PA 19422

John Broten
Bell Atlantic Communications Inc
1320 N Court House Rd 9th Fl
Arlington VA 22201

Jennifer Whitley
Business Discount Plan Inc
1 World Trade Ctr Ste 800
Long Beach CA 90831-0800

C12 Inc
200 Galleria Pkwy Ste 1200
Atlanta GA 30339

Scott Geston
Cable One of Fargo
P O Box 10624
Fargo ND 58106-0624

Citizens Telecomm Co of Minnesota
3 High Ridge Park
Stamford CT 06905

Citizens Telecomm Co of ND
3 High Ridge Pk
Stamford CT 06905

Robert Fallan
Coast International
14303 W 95th St
Lenexa KS 66215-5210

Comcast Business Communications Inc
650 Centerton Rd
Moorestown NJ 08057

Daniel L Barth
Comm South Companies Inc
6830 Walling Ln
Dallas TX 75231-7204

Molli Harper
Commnet Cellular Inc
8350 E Crescent Pkwy Ste 400
Englewood CO 80111

Murray Barr
Competitive Strategies Group Inc
164 N Euclid Ave
Oak Park IL 60302-2106

Computer Integrated Communications Inc
8502 Bells Mill Rd
Potomac MD 20854-4071

Consolidated Telcom
PO Box 1077
Dickinson ND 58601-1077

D D D Calling Inc
6300 Richmond Ave Ste 304
Houston TX 77057

Keith Larson
Dakota Central Telecom I
PO Box 299
Carrington ND 58421-0299

Dave Dircks
DCN LLC
P O Box 180
Devils Lake ND 58301-0180

Dickey Rural Services Inc
P O Box 69
Ellendale ND 58436

DSLnet Communications LLC
545 Long Wharf Dr
New Haven CT 06511

Regulatory Dept
Essential.com Inc
5 Bragdon Ln Ste 200
Kennebunk Me 04043

Evercom Systems Inc
8201 Tristar Dr
Irving TX 75063-2824

Lawrence Freedman
Fleischman & Walsh
1400 16th ST NW
Washington DC 20036

Global Tel*Link Corporation
2609 Cameron St
Mobile AL 36607-3104

Contact Communications
937 W Main St
Riverton WY 82501

Keith Larson
Dakota Central Tele Coop
PO Box 299
Carrington ND 58421-0299

Robert Hill
Daktel Communications LLC
P O Box 299
Carrington ND 58421-0299

Dickey Rural Communications Inc
PO Box 69
Ellendale ND 58436-0069

DIECA Communications Inc
3420 Central Expy
Santa Clara CA 95051-0703

Easton Telecom Services Inc
3046 Brecksville Rd #A
Richfield OH 44286-9399

Essex Communications Inc
543 Main St
New Rochelle NY 10801-7214

Dave Waters
Fairpoint Communications Solutions
521 E Morehead St Ste 250
Charlotte NC 28202-2695

Ronald Rodemerk
Frontier Comm International
180 S Clinton Ave
Rochester NY 14646-0500

Lucille Nilson
Griggs County Telephone Company
Cooperstown ND 58425

Group Long Distance Inc
9500 Toledo Way
Irvine CA 92618-1806

Houlton Enterprises Inc
2201 W Bdwy Ste 1
Council Bluffs IA 51501

Julia Waysdorf
ICG Telecom Group Inc
161 Inverness Dr W
Englewood CO 80112

Ken Hanks
International Telcom Ltd
417 2nd Ave W
Seattle WA 98119

David A. Huberman
Intrado Communications Inc
6285 Lookout Rd
Boulder CO 80301

Sue Weiske
Ionex Communications North Inc
15305 Dallas Pkwy Ste 1500
Addison TX 75001-6768

Nanette Edwards
ITC DELTACOM INC
4092 Memorial Pkwy SW
Huntsville AL 35802-1382

James Valley Coop Telephone Co
P O Box 69
Ellendale ND 58436-0069

KMC Telecom V Inc
1545 Rt 206
Bedminster NJ 07921

Thomas K Crowe
Law Offices of Thomas K Crowe PC
2300 M St NW Ste 800
Washington DC 20037

HJN Telecom Inc
3235 Satellite Blvd Bldg 400 Ste 300
Duluth GA 30096

HTC Services Inc
P O Box 55
Halstad MN 56548

IdeaOne Telecom Group LLC
3239 39th St SW
Fargo ND 58104

Intrado Communications Inc
6285 Lookout Rd
Boulder CO 80301

Neil Schmid
Ionex Communications North Inc
15305 Dallas Pkwy Ste 1500
Addison TX 75001-6768

IPVoice Communications Inc
14860 Montfort Dr Ste 210
Dallas TX 75254-6772

Larry Barnes
IXC/SSC-Regulatory Affairs
1122 S Capital of TX Hwy
Austin TX 78746-6426

Katherine E Ford
U S WEST
1801 California St Ste 5100
Denver CO 80202
Myer Shark
Knollwood Place Apts #221
3630 Phillips Pkwy
St Louis Park MN 55426

Level 3 Communications LLC
3555 Farnam St
Omaha NE 68131

Local Telcom Holdings LLC
485 Madison Ave 15th Fl
New York NY 10022-5803

Steven Katka
Loretel Systems Inc
13 E 4th Ave
Ada MN 56510

Marilyn Foss
MCI WorldCom Inc
707 17th St Ste 3600
Denver CO 80202

MCImetro Access Transmission Services
707 17th ST Ste 3600
Denver CO 80202

Amy Ibis
McLeodUSA
5100 S McLeod Ln
Sioux Falls SD 57108-2207

Mid-Rivers Telephone Coop Inc
P O Box 280
Circle MT 59215

Mark Wilhelmi
Midstate Telephone Co
PO Box 400
Stanley ND 58784-0400

Mike Strand
MITS
PO Box 5237
Helena MT 59604-5237

Richard Thronson
Nemont Telephone Cooperative Inc
Scobey MT 59263

Nextel West Corp
2001 Edmund Halley Dr
Reston VA 20191-3436

Jan Lowe
Long Dist Consolidated Billing Co
145 S Livernois Rd #199
Rochester MI 48307-1837

Jim Marchant
Maxcess Inc
P O Box 951419
Lake Mary FL 32795-1419

Michel Murray
MCI WorldCom Inc
707 17th St Ste 3600
Denver CO 80202

McKenzie Consolidated Telecom LLC
P O Box 1140
Watford City ND 58854-1140

Midcontinent Communications
410 South Phillips Ave
Sioux Falls SD 57104

Gordon Wilhelmi
Midstate Communications Inc
PO Box 400
Stanley ND 58784-0400

Minnesota Independent Equal Access
Corp
10300 6th Avenue N
Plymouth MN 55441
Dave Crothers
NDATC
Box 1144
Mandan ND 58554-1144

New Edge Network Inc
3000 Columbia House Blvd Ste 106
Vancouver WA 98661

Dave Dircks
North Dakota Long Distance Inc
P O Box 180
Devils Lake ND 58301-0180

Dave Dircks
North Dakota Telephone Company
PO Box 180
Devils Lake ND 58301-0180

Holly Sasscer
Operator Communications Inc
3530 Forest Ln Ste 200
Dallas TX 75234-7910

Premiere Network Services Inc
1510 N Hampton Rd Ste 120
DeSoto TX 75115

Scott Lee
Protel Advantage Inc
3145 Hafner Ct
Shoreview MN 55126-3802

Heather Troxell
Qwest Communications Corporation
4250 Fairfax Dr
Arlington VA 22203

Qwest Interprise America Inc
1801 California St 49th Fl
Denver CO 80202

Sandra Adams
NewPath Holdings Inc
4364 114th St
Des Moines IA 50322
Lisa Dabkowski
SNET America Inc
310 Orange St
North Haven CT 06510-1719

SRT Communications Inc
P O Box 789
Minot ND 58702-0789

Harris Saele
T P C Inc
PO Box 180
Devils Lake ND 58301-0180

NOW Communications Inc
711 S Tejon St Ste 201
Colorado Springs CO 80903

Jeff Walker
Preferred Carrier Services Inc
14681 Midway Rd Ste 105
Dallas TX 75001

Primus Telecommunications Inc
1700 Old Meadow Rd 3rd Fl
McLean VA 22102

QuantumShift Communications Inc
101 Rowland Way Ste 300
Novato CA 94945

Charles Steese
Qwest Corporation
1801 California St Ste 5100
Denver CO 80202

Dean Polkow
RCC Network Inc
PO Box 2000
Alexandria MN 56308-2000

ServiSense.com Inc
115 Shawmut Rd
Canton MA 02021-1438

Andrew Jones
Sprint
6391 Sprint Pkwy
Overland Park KS 66251-6100

Randy Burckhard
SRT Communications Inc
P O Box 789
Minot ND 58702-0789

Jack Medaris
Telco Partners Inc
484 Norristown Rd Ste 123
Blue Bell PA 19422

Al Bosch
Tele-Beep Company
PO Box 7072
Bismarck ND 58502-7072

Telera Communications Inc
910 E Hamilton Ave Ste 200
Campbell CA 95008

Tele-Tech Inc
2900 W 11th St
Sioux Falls SD 57104-3660

T-Netix Inc
P O Box 701028
Dallas TX 75370-1028

Touch America Inc
40 E Bdwy
Butte MT 59701

Kenneth Carlson
Turtle Mountain Communications
PO Box 729
Langdon ND 58249-0729

Giuseppe Vitale
UKI Communications Inc
500 N Rainbow Blvd Ste 300
Las Vegas NV 89107

United Communications HUB Inc
225 S Lake Ave Ste 705
Pasadena CA 91106

Sam Billingsley
United States Advanced Network Inc
3080 Northwoods Cir
Norcross GA 30071-1562

Kenneth Carlson
United Telephone Mut Aid Corp
Langdon ND 58249

Christina Tygielski
Universal Access Inc
Sears Tower 233 S Wacker Dr Ste 600
Chicago IL 60606-6307

Dennis Houston
Universal Network Services of ND
1572 North Batavia St Ste 1A
Orange CA 92867

Val-Ed Joint Venture LLP
150 2nd St SW
Perham MN 56573

VarTec Telecom Inc
1600 Viceroy Dr
Dallas TX 75235

Randy Houdek
Venture Communications Inc
PO Box 157
Highmore SD 57345-0157

Brad Van Leur
VP Telecom Inc
1701 N Louise ave
Sioux Falls SD 57107

West River Coop Telephone Co
P O Box 39
Bison SD 57620-0039

Darrell Henderson
West River Cooperative Telephone
Company
PO Box 39
Bison SD 57620-0039

Doris Cooper
West River Long Distance Co
PO Box 467
Hazen ND 58545-0467

Mick Grosz
West River Telecomm Coop
PO Box 467
Hazen ND 58545-0467

Western CLEC Corporation
3650 131st Ave SE #400
Bellevue WA 98006

Carolyn Fodor
Winstar
100 Galleria Bldg #212
Southfield MI 48034

WTC Competitive Services Inc
P O Box 129
Wolverton MN 56594

Z-Tel Communications Inc
601 S Harbour Island Blvd Ste 220
Tampa FL 33602-5925

Helbling, Sharon D.

From: Helbling, Sharon D.
Sent: Thursday, November 21, 2002 9:00 AM
To: ndna (E-mail)
Subject: Notice of Opportunity to File Written Comments

**Colleen Park
North Dakota Newspaper Association**

Colleen:

Please have the attached Notice of Opportunity to File Written Comments published as a legal publication in the next issue of the ten North Dakota daily newspapers, and run it as a "News Item Only" article as well.

Send the bill to the Public Service Commission along with a tear sheet for billing purposes.

If you have any questions, please call me at 328-4076. Thank you.

**Sharon Helbling
Public Utilities Division**

4 **PU-2780-02-588** Pages: 1

Notice E-mailed to NDNA requesting
publication
by Public Service Commission

11/21/2002

CC: Comm Legal Ilona Jerry

11/21/2002

APPROVED

MOTION

DATE: 11-20-02

KMF November 20, 2002

**Integra Telecom of North Dakota, Inc./Qwest Corporation
Interconnection Agreement Amendment
Application**

Case No. PU-2463-02-553

**AT&T Communications of the Midwest, Inc./Qwest Corporation
Interconnection Agreement Amendment
Application**

Case No. PU-2441-02-571

**MCImetro Access Transmission Services LLC./Qwest Corporation
Interconnection Agreement
Application**

Case No. PU-2800-02-572

**Level 3 Communications, LLC/Qwest Corporation
Interconnection Agreement Amendment
Application**

Case No. PU-2780-02-579

**U.S. Link, Inc./Qwest Corporation
Interconnection Agreement Amendment
Application**

Case No. PU-2630-02-587

**Level 3 Communications, LLC/Qwest Corporation
Interconnection Agreement Amendment
Application**

Case No. PU-2780-02-588

I move the Commission issue a Notice of Opportunity to File Written Comments in the captioned applications for approval of interconnection agreements.

JRL/sdh

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Integra Telecom of North Dakota, Inc./Qwest Corporation
Interconnection Agreement Amendment
Application** **Case No. PU-2463-02-553**

**AT&T Communications of the Midwest, Inc./Qwest Corporation
Interconnection Agreement Amendment
Application** **Case No. PU-2441-02-571**

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Application** **Case No. PU-2800-02-572**

**Level 3 Communications, LLC/Qwest Corporation
Interconnection Agreement Amendment
Application** **Case No. PU-2780-02-579**

**U.S. Link, Inc./Qwest Corporation
Interconnection Agreement Amendment
Application** **Case No. PU-2630-02-587**

**Level 3 Communications, LLC/Qwest Corporation
Interconnection Agreement Amendment
Application** **Case No. PU-2780-02-588**

NOTICE OF OPPORTUNITY TO FILE WRITTEN COMMENTS

November 20, 2002

On October 21, 2002, Qwest Corporation (Qwest) filed an application for approval of an amendment negotiated to its interconnection agreement with Integra Telecom of North Dakota, Inc. of Beaverton, Oregon, Case No. PU-2463-02-553. This amendment sets forth rates, terms and conditions for bill and keep reciprocal compensation.

On November 1, 2002, Qwest filed for approval of an amendment negotiated to its interconnection agreement with AT&T Communications of the Midwest, Inc. of Minneapolis, MN, Case No. PU-2441-02-571. This amendment sets forth rates, terms and conditions for UNE Combinations.

Also on November 1, 2002, Qwest filed for approval of an interconnection agreement negotiated with MCIMetro Access Transmission Services, LLC of Clinton, MS, Case No. PU-2800-02-572. This agreement adopts Qwest's sixth revised Statement of Generally Available Terms and Conditions (SGAT).

On November 8, 2002, Qwest filed for approval of an amendment negotiated to its interconnection agreement with Level 3 Communications, LLC of Louisville, CO, Case No. PU-2780-02-579. This amendment addresses customer billing records and reports.

On November 12, 2002, Qwest filed for approval of an amendment negotiated to its interconnection agreement with U.S. Link, Inc. of Pequot Lakes, MN, Case No. 2630-02-587. This amendment sets forth rates, terms and conditions for UNE-P and Public Access Lines.

Also on November 12, 2002, Qwest filed for approval of an amendment negotiated to its interconnection agreement with Level 3 Communications, LLC, Case No. PU-2780-02-588. This agreement sets forth rates, terms and conditions for single point of presence in the LATA.

These agreements were filed under Section 252(e) of the Telecommunications Act of 1996 (Act). The Act requires that any agreement adopted by negotiation or arbitration be submitted for approval to the Commission. Under section 252(e)(2)(A), the Commission may only reject an agreement (or portion thereof) adopted by negotiation if it finds that:


1. the agreement (or portion thereof) discriminates against a telecommunications carrier that was not a party to the agreement;
2. the implementation of the agreement (or portion thereof) is not consistent with the public interest, convenience, and necessity

In addition, the Commission may include in its review state requirements that do not constitute barriers to entry under section 253. Section 252(e)(4) requires that the Commission must act to approve or reject an agreement adopted by negotiation within ninety (90) days after submission by the parties.


The Commission will receive written comments on these agreements until December 26, 2002.

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials please notify Jon Mielke, Executive Secretary.

PUBLIC SERVICE COMMISSION



Anthony T. Clark
Commissioner



Susan E. Wefald
President



Leo M. Reinbold
Commissioner

ZUGER KIRMIS & SMITH

COUNSELORS AND ATTORNEYS AT LAW

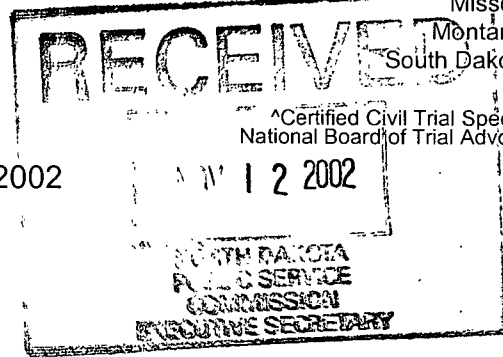
Lyle W. Kirmis
Lance D. Schreiner, P.C.
James S. Hill, P.C. **^
Patrick J. Ward*++^
Rebecca S. Thiem, P.C.**
Daniel S. Kuntz, P.C.
Jerry W. Evenson, P.C.^
Lawrence A. Dopson
Lawrence E. King, P.C.**
Tracy Vigness Kolb, P.C.
Shawnda R. Reid**+
Constance N. Hofland
Paul R. Sanderson

316 North Fifth Street
Provident Building
P.O. Box 1695
Bismarck, ND 58502-1695
(701) 223-2711
fax (701) 223-7387
www.zkslaw.com
email: zkslaw@zkslaw.com

Of Counsel
John A. Zuger

Thomas O. Smith
1944-2001

Also licensed in
Illinois *
Minnesota **
Missouri+
Montana++
South Dakota^^



November 12, 2002

Mr. Jon Mielke
Executive Secretary
ND Public Service Commission
State Capitol -- 12th Floor
Bismarck, ND 58505-0480

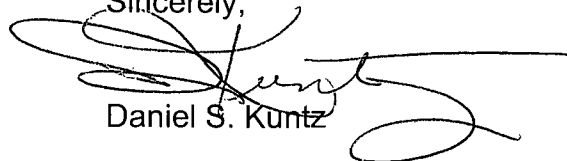
Re: Amendment to Interconnection Agreement Between Qwest Corporation and Level 3 Communications, LLC

Dear Mr. Mielke:

Enclosed for filing is the original and seven copies of an Amendment to the Interconnection Agreement between Level 3 Communications, LLC and Qwest Corporation. The document amends an Interconnection Agreement that was approved by the Commission on October 23, 2002 in Case No. PU-2780-02-457. The Amendment adds terms and conditions for Single Point of Presence (SPOP). Contact information for Level 3 Communications should be directed to Level 3 Communications, LLC, Attention: Greg Rogers, Esq. 1025 Eldorado Blvd., Broomfield, CO 80021. The telephone number for Mr. Rogers is 720-888-2512.

Also enclosed is an extra copy of this letter. Please date stamp the extra copy of the letter and return it to me in the enclosed self-addressed postage-paid envelope.

Please contact me if you have any questions regarding this filing.

Sincerely,

Daniel S. Kuntz

Enclosures

c: Scott Macintosh w/enc.
Debra Hartl wo/enc.
Greg Rogers wo/enc.

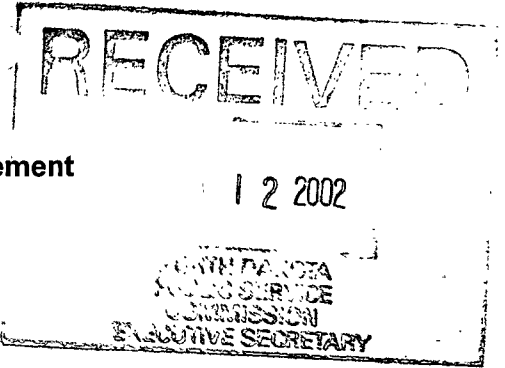
1 PU-2780-02-588

Pages: 7

Interconnection Agreement Amendment
application
by Level 3 Communications, LLC/Qwest Corporation

11/12/2002

CC: Comm Legal Illona Jerry .



**Amendment to the Interconnection Agreement
Between
Level 3 Communications, LLC
and
Qwest Corporation
For the State of North Dakota**

This Amendment ("Amendment") is made and entered into by and between Level 3 Communications, LLC ("CLEC") and Qwest Corporation.

WHEREAS, CLEC and Qwest entered into an Interconnection Agreement ("the Agreement") for service in the state of North Dakota that is currently pending before the North Dakota Public Utilities Commission ("Commission"); and

WHEREAS, CLEC and Qwest desire to amend the Agreement by adding the terms and conditions contained herein.

AGREEMENT

NOW THEREFORE, in consideration of the mutual terms, covenants and conditions contained in this Amendment and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. Amendment Terms.

This Amendment is made in order to add terms, and conditions for Single Point of Presence ("SPOP") in the LATA as set forth in Attachment 1 and Exhibit A attached hereto and incorporated herein.

Neither Party shall lose any of its rights from the original contract by entering into this Amendment for SPOP.

2. Effective Date.

This Amendment shall be deemed effective upon approval by the Commission; however, the Parties may agree to implement the provisions of this Amendment upon execution. To accommodate this need, CLEC must generate, if necessary, an updated Customer Questionnaire. In addition to the Questionnaire, all system updates will need to be completed by Qwest. CLEC will be notified when all system changes have been made. Actual order processing may begin once these requirements have been met.

3. Further Amendments.

The provisions of this Amendment, including the provisions of this sentence, may not be interpreted, amended, modified or supplemented, and waivers or consents to departures from the provisions of this Amendment may not be given without the written consent thereto by both Parties' authorized representative. No waiver by any party of any default, misrepresentation, or breach of warranty or covenant hereunder,

whether intentional or not, will be deemed to extend to any prior or subsequent default, misrepresentation, or breach of warranty or covenant hereunder or affect in any way any rights arising by virtue of any prior or subsequent such occurrence.

4. Entire Agreement

This Amendment (including the documents referred to herein) constitutes the full and entire understanding and agreement between the Parties with regard to the subjects of this Amendment and supersedes any prior understandings, agreements, amendments or representations by or between the Parties, written or oral, to the extent they relate in any way to the subjects of this Amendment.

The Parties intending to be legally bound have executed this Amendment as of the dates set forth below, in multiple counterparts, each of which is deemed an original, but all of which shall constitute one and the same instrument.

Level 3 Communications, LLC



Authorized Signature

Kevin Paul

Name Printed/Typed

VP- Softswitch Deployment

Title

10/8/2002

Date

Qwest Corporation



Authorized Signature

L. T. Christensen

Name Printed/Typed

Director – Business Policy

Title

10/10/02

Date

Attachment 1

Single Point of Presence (SPOP) in the LATA is a Local Interconnection Service (LIS) Interconnection trunking option that allows CLEC to establish one physical point of presence in the LATA in Qwest's territory. Qwest and CLEC may then exchange traffic at the SPOP utilizing trunking as described following.

- 1.1 By utilizing SPOP in the LATA, CLEC can deliver both Exchange Access (IntraLATA Toll Non-IXC) and Jointly Provided Switched Access (InterLATA and IntraLATA IXC) traffic and Exchange Service EAS/Local traffic at Qwest's Access Tandem Switches. CLEC can also utilize Qwest's behind the tandem infrastructure to terminate traffic to specific end offices. The SPOP is defined as the CLEC's physical point of presence.
- 1.2 SPOP in the LATA includes an Entrance Facility (EF), Expanded Interconnect Channel Termination (EICT), or Mid Span Meet POI and Direct Trunked Transport (DTT) options available at both a DS1 and DS3 capacity.

- 1.3 Where there is a Qwest local tandem serving an end office that CLEC intends to terminate traffic, the following conditions apply:

1.3.1 The Parties shall terminate Exchange Access Service (EAS/Local) traffic on tandem or end office switches. When there is a DS1 level of traffic (512 BHCCS) between CLEC's switch and a Qwest End Office Switch, Qwest may request CLEC to order a direct trunk group to the Qwest End Office Switch. CLEC shall comply with that request unless it can demonstrate that such compliance will impose upon it a material adverse economic or operations impact. Furthermore, Qwest may propose to provide Interconnection facilities to the local tandems or end offices served by the access tandem at the same cost to CLEC as Interconnection at the access tandem. If CLEC provides a written statement of its objections to a Qwest cost-equivalency proposal, Qwest may require it only: (a) upon demonstrating that a failure to do so will have a material adverse affect on the operation of its network and (b) upon a finding that doing so will have no material adverse impact on the operation of CLEC, as compared with Interconnection at such access tandem.

1.3.1.1 When a CLEC has an NXX that subtends a local tandem, but the anticipated traffic to and from the NXX is less than 1 DS1s (512 CCS) worth of traffic, the CLEC may choose to use the access tandem for local traffic in the circumstances described above in 1.3.1. The CLEC will be required to submit an electronic letter on CLEC letterhead to Qwest stating at which local tandems they will not interconnect. This letter should include, the local tandem CLLI(s) and the CLEC specific NPA-NXXs for the local tandems. In addition, CLEC will provide a revised electronic letter to Qwest of any changes in the network configuration or addition/deletions of NPA-NXXs of the aforementioned local tandems.

1.3.2 Connections to a Qwest local tandem may be two-way or one-way trunks. These trunks will carry Exchange Service EAS/Local traffic only.

1.3.3 A separate trunk group to the Qwest access tandem is necessary for the exchange of non-local Exchange Access (IntraLATA Toll Non-IXC) traffic and jointly Provided Switched Access (InterLATA and IntraLATA IXC) traffic.

1.4 Where there is no Qwest local tandem serving a Qwest end office, CLEC may choose from one of the following options:

1.4.1 A two-way CLEC LIS trunk group to the Qwest access tandem for CLEC traffic terminating to, originating from, or passing through the Qwest network that combines Exchange Service EAS/ Local, Exchange Access (IntraLATA Toll Non-IXC) and Jointly Provided Switched Access (InterLATA and IntraLATA IXC) traffic.

1.4.2 A two-way CLEC LIS trunk group to the Qwest access tandem for CLEC Jointly Provided Switched Access (InterLATA and IntraLATA IXC) traffic terminating to and originating from the IXC Feature Group (FG) A/B/D network through the Qwest network and an additional two-way trunk group to the Qwest access tandem for the combined Exchange Service EAS/ Local and Exchange Access (IntraLATA Toll Non-IXC) traffic terminating to, originating from, and transiting the Qwest network.

1.4.2.1 If the CLEC uses two way trunking, Qwest will send all Exchange Service EAS/Local, Exchange Access (IntraLATA Toll Non-IXC) and Jointly Provided Switched Access (InterLATA and IntraLATA IXC) traffic delivered to the Qwest access tandem on the same combined trunk.

1.4.3 A one-way terminating CLEC LIS trunk group to the Qwest access tandem for CLEC traffic destined to or through the Qwest network that combines Exchange Service EAS/Local, Exchange Access (Intra LATA Toll Non-IXC) and Jointly Provided Switched Access (InterLATA and IntraLATA IXC) traffic.

1.4.4 CLEC may utilize a one-way LIS trunk group to the Qwest access tandem for Jointly Provided Switched Access (InterLATA and IntraLATA IXC) traffic terminating to the IXC FG A/B/D network through the Qwest network, and an additional one-way trunk group to the Qwest access tandem for the combined Exchange Service EAS/ Local, Exchange Access (IntraLATA Toll Non-IXC) traffic terminating to, originating from, and transiting the Qwest network.

1.4.4.1 If CLEC orders either of the above one-way trunk options, Qwest will return the traffic via one combined Exchange Service EAS/ Local, and Exchange Access (IntraLATA Toll Non-IXC) trunk group.

1.4.5 To the extent Qwest combines Exchange Service (EAS/Local), Exchange Access (IntraLATA Toll carried solely by Local Exchange Carriers), and Jointly Provided Switched Access (InterLATA and IntraLATA calls exchanged with a third-party IXC) traffic on a single LIS trunk group, Qwest, at CLEC's request, will declare a percent local use factor (PLU). Such PLU(s) will be verifiable with either call summary records utilizing Calling Party Number information for jurisdictionalization or call detail samples. CLEC should apportion per minute of use (MOU) charges appropriately.

1.5 CLEC must have SS7 functionality to use SPOP in the LATA.

1.6 Qwest assumes CLEC will be originating traffic destined for end users served by each Qwest access tandem in the LATA, therefore, CLEC must order LIS trunking to each Qwest access tandem in the LATA to accommodate routing of this traffic. Additionally, when there is more than one Qwest access tandem within the LATA boundary; the

CLEC must order LIS trunking to each Qwest access tandem that serves its end-user customers' traffic to avoid call blocking. Alternatively, should the CLEC accept the conditions as outlined in the SPOP Waiver (Exhibit A), trunking will not be required to each Qwest access tandem in a multi-access tandem LATA. Should the CLEC not be utilizing the option of interconnecting at the access tandem for local, due to low volume of local traffic under the circumstances described in 1.3.1, CLEC needs trunking only to each local tandem where they have a customer base. The 512 CCS rule and other direct trunking requirements will apply for direct trunking to Qwest end offices.

1.7 If Direct Trunked Transport is greater than 50 miles in length, and existing facilities are not available in either Party's network, and the Parties cannot agree as to which Party will provide the facility, the Parties will construct facilities to a mid-point of the span.

1.8 CLEC will provide notification to all Co-Providers in the local calling areas of CLEC's change in routing when the CLEC chooses to route its traffic in accordance with Qwest's SPOP interconnection trunking.

1.9 Ordering

1.9.1 SPOP in a LATA will be ordered based upon the standard ordering process for the type of facility chosen. See the Qwest Interconnection and Resale Resource Guide for further ordering information.

1.9.2 CLEC will issue ASRs to disconnect/new connect existing access tandem trunk groups to convert them to SPOP trunk groups.

1.9.3 In addition, the ASR ordering SPOP trunks will include SPOP Remarks "Single POP in LATA " and the SPEC Field must carry "SPOLATA ."

EXHIBIT A
SINGLE POINT OF PRESENCE WAIVER

Qwest will waive the requirement for CLEC to connect to each Qwest Access Tandem in the LATA with this waiver amendment.

CLEC certifies that it will not originate any traffic destined for subtending offices of Qwest's Access Tandems for which CLEC seeks a waiver. Or, if CLEC does originate such traffic, that CLEC will route such traffic to a Non-Qwest network. In addition, CLEC certifies that it has no end users in the serving area of the Qwest Access Tandem for which CLEC seeks a waiver.

CLEC will send an electronic letter to Qwest indicating the Qwest access tandems subject to this waiver at the time of ordering trunks required to implement SPOP in the LATA. In addition, CLEC will provide a revised electronic letter to Qwest advising of any changes in the network configuration of the aforementioned access tandems. Should CLEC desire to begin serving end users in the serving area of a Qwest access tandem currently under this waiver, CLEC must first establish trunking to the Qwest access tandem. Additionally, should CLEC desire to originate traffic destined to a Qwest end office subtending a Qwest access tandem currently under this waiver, CLEC must first establish trunking to the Qwest access tandem.

Under this waiver any CLEC originated traffic destined for an end office subtending a Qwest tandem under this waiver will be billed separately, by Qwest to CLEC, via a manual bill.

Misrouted usage under this waiver will be billed, a penalty of \$.21 per MOU.

Additionally, a manual handling fee of \$100 or 10% of total billing, whichever is greater, will be charged for each such manual bill rendered.

Late Payment charges will apply as outlined in the existing Interconnection Agreement currently in effect between the Parties.

Should this traffic occur, the Parties agree to meet within forty-five (45) days of Qwest's identification of such misrouted traffic to discuss methods for avoiding future misrouting on that trunk group or groups. CLEC will then have thirty (30) days from the date of meeting to correct such misrouting on that trunk group or groups. If further misrouting occurs or continues after that date on the same trunk group or groups as the original misrouting identified, the Parties agree to meet again within thirty (30) days of Qwest's identification of such misrouted traffic to discuss methods for avoiding future misrouting on that trunk group or groups. CLEC will then have thirty (30) days from the date of meeting to correct such misrouting. If further misrouting occurs or continues after that date on the same trunk group or groups, Qwest will consider this waiver null and void and all requirements in Attachment 1 or in the existing Interconnection Agreement currently in effect between the Parties will be reinstated. If the parties disagree about whether the traffic identified by Qwest was actually misrouted, the Parties agree to avail themselves of the dispute resolution provision of their interconnection agreement. Nothing in this provision affects or alters in any way CLEC's obligation to pay the rates, the manual handling fee, and the late payment charges specified above for misrouted traffic.

PN 2780-02-579; PN 2780-02-588

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee <i>Buysse</i>	
	B. Received by (Printed Name) <i>Buysse</i>	C. Date of Delivery 1-21-03
1. Article Addressed to: <i>Peter Blisard Reul 3 Comm Inc 1025 Eldorado Blvd Broomfield Co 80021</i>	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No	
3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.		
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes		
2. Article Number (Transfer from service label) 7001 2510 0001 2975 2365		
PS Form 3811, August 2001	Domestic Return Receipt	102595-02-M-1035

PN 2780-02-588; PN 2780-02-579

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	B. Received by (Printed Name) <i>Buysse</i>	C. Date of Delivery 1-21-03
1. Article Addressed to: <i>Greg Rogus Reul 3 Comm LLC 1025 Eldorado Blvd Broomfield Co 80021</i>	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No	
3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.		
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes		
2. Article Number (Transfer from service label) 7001 2510 0001 2975 2389		
PS Form 3811, August 2001	Domestic Return Receipt	102595-02-M-1035